

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Please cancel claim 25.

After amending the claims as set forth above, claims 1-24 are now pending in this application.

Rejection of claims 11-16, 18-22 and 24 under 35 U.S.C. §112 ¶2

The Office Action at page 2 rejected claims 11-16, 18-22, and 24-25 under 35 U.S.C. §112, second paragraph, as being indefinite. Applicants respectfully submit that the amendments to the claims address the issues presented in the Office Action. The individual claim terms will be addressed below.

“Softening a criterion”

At page 2 of the Office Action, claims 11-16, 18-22 and 24-25 were rejected under 35 U.S.C. §112 ¶2 as indefinite for the use of the phrase “softening a criterion”, or for dependence from a claim including that phrase. Two reasons were given for the rejection. First, the Office Action states that it is not clear from the claims which “criterion” will be softened. Second, the Office Action states that the scope of the term “softening” is unclear.

Applicants respectfully submit that the above amendments address the two reasons for the rejection:

(1) Regarding the term “criterion”, the claims in question now recite the type of criterion to be used, i.e. a “driving-stability criterion”. The term “driving-stability criterion” is further modified by “to determine execution of the vehicle dynamics control”.

(2) Regarding the term, “softening”, the claims in question now recite “compensating for” further modified by “so as to hold the vehicle dynamics control inoperative.” This indicates not only a change in the criterion, but also the direction of the change.

Applicants respectfully submit that the inventive concepts motivating these claim terms are clearly set out on pages 32-50 of the specification, and more particularly on pages 48-49. There (*e.g.*, page 48, line 28), the Applicants show that a driving stability criterion can be used, and can be softened or compensated for to slow the initiation of the Vehicle Dynamics Control (VDC). This compensation has the effect of holding the Vehicle Dynamics Control in the inoperative state (*e.g.* page 34, line 10; page 48, lines 28-30).

Applicants have amended the claim terms in an attempt to find language that will express, in a way satisfactory to the Office, the intended meaning. The Applicants respectfully submit, however, that the breadth of a claim term should not be confused with indefiniteness. *See* MPEP §2173.01. That is, the Applicants have developed general methods and devices for solving the problems encountered when a Lane Deviation Prevention system is used in conjunction with a Vehicle Dynamics Control system, as described in the Applicants’ specification, and are entitled to claims which cover the full scope of the enabled embodiments which are allowable over the prior art.

“only when the vehicle dynamics control is inoperative”

The Office Action also rejects claims 12-13 and 19-20 based on the phrase “initiating the vehicle dynamics control when the yaw-rate deviation exceeds the yaw-rate-deviation threshold value under a condition where the vehicle dynamics control is inoperative”. The phrase “under a condition where the vehicle dynamics control is inoperative” has been removed from the claims.

“decreasingly compensating” and “increasingly compensating”

The Office Action rejected claims 12-16 and 19-22 for the use of the phrase “decreasingly compensating”. This is understood by the Applicants to be a rejection based on the use of the phrase “increasingly compensating” for claims 13, 14 and 20. Applicants have amended the claims to change the phrase “decreasingly/increasingly compensating for” to simply “decreasing” or “increasing” respectively, or simply “compensating”.

Other Amendments

Other amendments have been made to enhance the readability of the claims, including to previously allowed claims, in the spirit of the reasons for the Examiner's rejections under 35 U.S.C. §112 ¶2. It is not believed that a significant change in the scope of the allowed claims has been effected by the amendments.

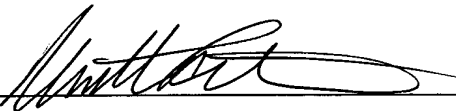
Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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